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CONVENTION ON THE PROHIBITION OF CHEMICAL WEAPONS

Serguei BATSANOV, Director for External Relations in the Provisional Technical Secretariat of the Organization for the Prohibition of Chemical Weapons (OPCW), clarifies the status of the Convention, which, to date, 70 countries have ratified, not including the United States of America and the Russian Federation. The Convention provides a mechanism for verification and allows for the conversion of chemical weapons factories to civilian uses. Critics of the Convention usually refer to Article X, which deals with assistance to and protection of the States parties to the Convention. Mr. Batsanov hopes that the USA and the Russian Federation will soon ratify the Convention.

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ANNOUNCER: From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle**.

More than four years ago, the international community adopted the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons. The Convention also called for the destruction of these dangerous weapons of mass killing capacity. And to ensure the implementation of the provisions of the Convention, the signatory States have agreed to establish the Organisation for the Prohibition of Chemical Weapons, or OPCW. Our guest today has been actively involved in this process. He is Serguei Batsanov, Director for External Relations in the Provisional Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons. Joining me to talk with Mr. Batsanov are Bhaskar Menon of the International Documents Review and Anne Penketh of AFP.

Mr. Batsanov, welcome to World Chronicle.

BATSANOV: Thank you.

LITTLEJOHNS: Ambassador Batsanov, when the Convention came into force, the Secretary-General of the United Nations at the time, Boutros Boutros-Ghali, said that it was the first disarmament agreement within a multilateral framework that provided for the elimination of an entire category of weapons of mass destruction, which of course is a very impressive achievement. But unfortunately it appears that neither the United States nor the Russian Federation has yet ratified this treaty. And I wonder how effective it's going to be without their cooperation.

BATSANOV: Sure. I agree with that. But the point is that the Convention has not yet entered into force, as we are talking. The entry into force is the 29th of April this year, and there is still about a month or so before the entry into force, and therefore these two major possessors of chemical weapons still have some time to do the job. Now, in the long run, of course, without them the Convention would not be effective.

LITTLEJOHNS: How many Member States of the UN actually have signed and/or ratified?

BATSANOV: The number of signatory States is 161 at the moment, which is quite impressive.

LITTLEJOHNS: Out of 185 Member States in the UN. That's very good.

BATSANOV: Yes. Yes. And that is just four years after the Convention was ready. Now, the number of ratifying countries at the moment is 17. Now, there are a lot of countries whose participation is very important, with highly developed chemical industry, having important role political or otherwise in various regions of the world. I am talking about

countries like Germany, France — well, in fact, almost the whole of the European Union — Canada, Mexico, India, Japan, Australia, South Africa, Brazil, Argentina. So it really has a global reach.

LITTLEJOHNS: They have all signed?

BATSANOV: And ratified.

LITTLEJOHNS: And ratified.

BATSANOV: And ratified. And that's very important, very useful. Of course, we need the major possessors.

LITTLEJOHNS: There's another country, of course, which has a chemical weapons capacity. I'm thinking about Iraq. Has Iraq shown any indication that it might be willing to come on board?

BATSANOV: Really not yet. But Iraq potential in the area of weapons of mass destruction is under very close supervision, if I may say so, by the Security Council and by UNSCOM. So from that point of view —

LITTLEJOHNS: That's the Special Commission. Yes.

BATSANOV: Yes. From that point of view, it is not really a matter of very high concern that they have not signed the Chemical Weapons Convention.

PENKETH: Could you maybe tell us about some of the verification measures which are provided for in this Convention? Because Jesse Helms, who says that — he's the powerful chairman of the [US] Senate Foreign Relations Committee — he says that there is not going to be ratification soon by the US Senate, and he points to verification as a problem that they have with it.

BATSANOV: Well, the verification system in this treaty is without any precedent. And, you know, it's also difficult perhaps to say in advance how exactly it would work. So in that sense, you see, everything is new. But, to be more serious, it has a number of very effective, very far-reaching measures: You have a wide range of declarations that each State party would have to make from the very beginning, after they enter into force. And not only military installations would have to be declared, but a number of companies and factories in the chemical industry area. And then those declarations will be verified, through initial inspections and then routine inspections. How often those inspections would take place would depend upon the nature of the declared facility. Some would be inspected very often; others, rather rarely, I can say.

PENKETH: The sites that you're looking at are things like detergent factories, which might be secretly making chemical weapons?

BATSANOV: No. If someone is talking about factories that would try to make weapons secretly, of course they would not necessarily be declared. But for that kind of a

situation, the Convention has the so-called "challenge inspection" mechanism, or provisions, and under those each State party has the right to request and obtain a challenge inspection at a very short notice at any location or any point within a territory or under jurisdictional control of another State party, and there is no right of refusal. That's a very strong instrument, a very powerful instrument, which is supposed to give the final safety net, if I may say so, in terms of compliance.

MENON: Of the countries that you mentioned as having developed chemical industries, how many — like you say, without actually mentioning the names — how many do you think might have secret chemical weapons programmes?

BATSANOV: Well, out of the countries I've mentioned, I really hesitate to even give numbers to you. Now, we know that the Americans and Russians were having chemical weapons programmes. They were secret at the time; they became open some years ago. But others, I really....

MENON: Because, as you know, in Afghanistan recently, as recently as last year, there were allegations of chemical weapons use by the Taliban. And if they — if a group as, quote-unquote, "primitive" as the Taliban can get hold of chemical weapons and use them, they must be pretty widespread.

BATSANOV: Well, not necessarily so, because the allegation of use is another area for which the Chemical Weapons Convention has certain procedures. It has procedures, in fact, for investigations of the alleged use of chemical weapons, which, to a certain degree, is something similar to the challenge inspections that I mentioned, but, you know, there are special things or special provisions in those articles of the Convention. Because in the past there were a lot of allegations, and most of them were not proved this way or another. And let me then draw your attention to the other factor about, or the other feature of this Chemical Weapons Convention. Now, it would be probably not realistic to say that on day one every one would become sure that the verification system is working. Now, there will be declarations, but there may be questions about declarations. There would be some time needed during which certain clarifications, additional investigations, you know, back and forth exchanges could take place. So what we are talking about, we are talking about a mechanism which over time would create or would lead to much greater confidence about compliance.

MENON: But the production of chemical weapons is fairly easy. It doesn't require very high technology. For instance, if you look at what happened in Bhopal in India, where just the fact that some water went into a storage tank — I can't remember the exact chemical name for it —

LITTLEJOHNS: That was the Union Carbide plant.

MENON: — The Union Carbide plant — it created one of the most toxic gases there is and killed thousands of people. So how can you be sure, how can anyone be sure that even after all mechanisms are in place, after all declarations have been made down the line, that someone doesn't get hold of a tankful of this chemical and produce chemical weapons?

BATSANOV: Well, of course, you can use even, you know, the household poisons against —

LITTLEJOHNS: Detergent. Detergent?

BATSANOV: — No — poisons against cockroaches in a chemical weapons mode. Now, of course, as chemical weapons, that would not be very much effective. You can produce toxic chemicals, but in order to have a militarily significant chemical weapons arsenal, you need much more. You need special alloys and steels for munitions —

MENON: So terrorist use of chemical weapons is not covered by this.

BATSANOV: It is not directly covered, but the Convention helps indirectly in that respect as well. Because it in fact obliges States parties to put in place much more stringent internal controls over the use, production and consumption of different chemicals, thus making it illegal even to produce certain chemicals without proper authorization and a clear declaration of the eventual use of this chemical. For example, if you take the Tokyo incident, when that sect was actually producing sarin somewhere in its cellars, in its laboratories, the process of production was not illegal in Japan. Only when sarin was used as a weapon, killing people, it became illegal because it was murder. Now, in connection with the ratification of the Convention, the Japanese parliament adopted certain amendments to their laws making even such unauthorized production of sarin an illegal act, thus allowing the police to intervene at a much earlier stage. And, you know, to call whoever is doing that to order.

LITTLEJOHNS: Ambassador Batsanov, as we record this programme, the peace process in the Middle East seems to be in trouble. Are all the countries of the region with the exception of Iraq signatories of the Convention?

BATSANOV: No. This is perhaps one area on the globe which is an area which causes us quite some concern, because several countries in that area have not signed the Chemical Weapons Convention. Israel has signed, but Egypt hasn't signed, Syria hasn't signed, Jordan hasn't signed, Libya hasn't signed. And they have declared, in fact, that they would not like to become parties to this Convention before Israel, or unless Israel, joins the Nuclear Non-Proliferation Treaty, NPT. This is of course a serious kind of linkage which is not easy to unlink, and in turn it is also linked I think to the overall Middle East [peace] process.

LITTLEJOHNS: Has Israel ratified?

BATSANOV: No.

PENKETH: How do you assess the risk, though, from the various countries? Is it Libya which has the most potential to create chemical weapons?

BATSANOV: You see, for the time being we are not as the Organisation assessing the risk coming from this or another country. Of course they — whoever has not signed and ratified would probably be looked at suspiciously by States parties. I think it would be no surprise. But beyond that, beyond that I would not like to go into details.

LITTLEJOHNS: This is **World Chronicle**. Our guest is Serguei Batsanov, Director for External Relations in the Provisional Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons.

MENON: Could I ask you, when you're all set up and running, how large will your staff be?

BATSANOV: We are trying now to agree on final details at the moment, but I can say between 450 and 500 people.

MENON: And of these, how many will be inspectors? How many will be actually on the job?

BATSANOV: About one half.

MENON: About one half. And these people would be posted where?

BATSANOV: Well, they all would serve in The Hague where we would have our headquarters, but they would spend a lot of their time travelling around the world.

MENON: Doing what?

BATSANOV: The posting would be in The Hague.

MENON: But what would these inspectors do? For instance, suppose they go into South Asia, which is peaceful, it's not — I mean, no one is threatening each other. How would they actually go about determining if there is a clandestine chemical weapons programme?

BATSANOV: No, they would not try even to determine that there is a clandestine weapons programme unless someone calls for the challenge inspection. Now, what they would be doing, they would be inspecting declared, in most countries, chemical industry facilities. And this is another important feature of this Convention to which I think we briefly referred at the beginning, that it doesn't address only military installations; the Convention says that certain chemical factories, because of their, let's say, theoretical technical capability to be turned into chemical weapons-producing plants, should be regularly inspected, first declared, and then regularly inspected. And there is nothing, let's say, suspicious, or nothing wrong about legitimate factories being inspected. It just gives another layer of confidence to States parties and to the international community that everything is okay.

MENON: Is there any envisaged link to the Security Council? In, say, a similar case to Iraq, suppose there is a non-signatory, non-party to the Convention which might pose a

threat to a party to the Convention. Is there any provision for approach to the Security Council to deal with this?

BATSANOV: Yes. The Convention allows the Executive Council, which is, well, our equivalent of the Security Council, if I may say so, and the Conference of States Parties, which is our equivalent of the General Assembly, if they consider whatever situation arises, to address the Security Council and the General Assembly in important and serious cases. Should it be an issue involving even a State party which would not comply properly with the Convention, or should it be any other issue, it is within their right to go to the Security Council and ask for help.

PENKETH: We know that the Security Council at the moment is somewhat concerned that Iraq may still be holding VX gas. Could you tell us a bit about the different types of chemical weapons? You mentioned sarin, and then there's this nerve gas, this mustard gas. What do they all do?

BATSANOV: Well, they all kill, in the first place.

PENKETH: In differing degrees?

BATSANOV: With some exceptions. For example, you also know that there is CS, whose primary aim is not to kill but to make you cry a lot and run away from the police. No. There are several types. The most dangerous are considered to be nerve agents, like sarin, VX, soman. And they affect the impulses that go from your brain to muscles through the nerves. They interrupt those impulses, the function of the nerves. And the most immediate effect of that is that you cannot breathe and you suffocate, because of that. There are blister agents whose primary effect is on your skin but also on your lungs when you inhale that. And that's mustard [gas], in the first place, causing, well, very severe irritation. And, well, eventually leading to death as well. In this case there is a difference, because if you survive a nerve gas attack, then you have fairly good chances of recovering afterwards, because nerves regenerate somehow. With blister agents, it may be much more difficult, especially if your lungs are affected. And then even if you survive the immediate attack, you would stay between life and death actually for many, many months, and that is terrible suffering, well, impossible to —

LITTLEJOHNS: Mustard gas was used in the First World War, I think, wasn't it?

BATSANOV: Yes.

PENKETH: And more recently in the gulf war, wasn't it? Between Iraq and Iran?

BATSANOV: No, in — ah, in the Iran-Iraq war, yes.

LITTLEJOHNS: In Iran-Iraq.

BATSANOV: Yes. Not in —

PENKETH: No, no.

LITTLEJOHNS: Not in the Desert.... Ambassador Batsanov, the critics of the Convention often refer to Article X. What's the problem that they have with Article X? What is Article X, and why —

BATSANOV: About. Yes, yes, I see. Article X is a very important article in this treaty, because it, well, it actually says that those parties who would be attacked with chemical weapons, let's say by a State non-party, are entitled to receive assistance, or even who are under the threat of the attack. Why? Because that kind of assistance from the international community, from the OPCW, is an additional guarantee that you don't have an incentive to develop your own chemical weapons for retaliation purposes or as a deterrent against chemical weapons on your country, but rather you would rely on the assistance which is ready to come if there is a need for that. So, that's the basic content of Article X. But then, during negotiations in Geneva there was a need to find, rather, not very simple solutions for that, because assistance against chemical weapons is at the same time military assistance. And what if someone, or one country, is not willing to provide military assistance to another country? And there was a need for a balance between giving a guarantee to a country in need and having that quite automatic, and between the right of a donor country perhaps to think a little bit more before providing military assistance to any other country in the world. And that's what Article X is about. You can choose several options. You can contribute your money to that purpose. You can identify what kind of emergency stock you have that you can provide on call from the director general of OPCW, and the director general in turn would know, or the secretariat would know, for example, that you can find gas masks from the United States, from the Russian Federation, from the Czech Republic, from Australia, for example, and then, depending on a situation as it develops, he can choose what source to use. So there is no automatic obligation for any particular country to provide their military *matériel* to each and every country in the world or within the Convention.

LITTLEJOHNS: Who is the director general, by the way?

BATSANOV: I don't know yet.

LITTLEJOHNS: Oh, it hasn't been —

BATSANOV: Because — because —

LITTLEJOHNS: He or she hasn't been —

BATSANOV: No. Because the Convention enters into force on the 29th of April, and after that the States parties have to agree on who will be director general.

MENON: The preparatory commission that's been working on this organization, they still, it seems, have a few issues unresolved.

BATSANOV: Right.

LITTLEJOHNS: What are these issues?

BATSANOV: Oh, several of them. Some relate to detailed procedures for the implementation of the Convention. Like how, or at what level you stop paying attention to mixes of chemicals that are in the production process which contain low concentrations of chemicals that the Convention specifically would like to follow. So you have a certain chemical which must be, let's say, controlled by the Convention, but it doesn't exist by itself, it is in a mixture; there is a certain percentage of it. So, people are still arguing whether it should be 15 per cent, 25 per cent. And that will have implications for the actual application of verification measures. This is just one example. Another example is that the Convention does allow to convert former chemical weapons production facilities into facilities producing something useful and peaceful. There is still disagreement about the procedures to be followed in this respect, detailed procedures, because general procedures are in the treaty, but there is a need to agree on something more detailed before you can really implement that.

Well, these are just two examples. There are others. The conditions of the service for the personnel have not been finalized. Well, they are technical, but they have, I will say, in many cases the political background.

LITTLEJOHNS: Everything in the UN has some political implications.

BATSANOV: Yes, yes.

PENKETH: What sort of quantities are we talking about here? We're not talking about in America or in Russia, because they're not -- they've not signed the Convention, so, you know, how much does an average country hold?

BATSANOV: Quantities of what?

PENKETH: Of chemical weapons.

BATSANOV: Of chemical weapons? That's something I don't know. I know what the Americans have, I know what the Russians have. In fact, there are only three countries in the world that have declared themselves as possessing chemical weapons at some point.

MENON: Which one is the third?

BATSANOV: You know, in recent history.

PENKETH: Which is the third?

BATSANOV: Again, the same Americans, the same Russians, and the Iraqis.

MENON: Oh, and the Iraqis, I see.

BATSANOV: Who declared their possession under different circumstances --

MENON: Under duress, yes.

BATSANOV: Now, we know that the UK, for example, had a chemical weapons programme in the long past, and that there was an official decision taken by the British Government in the early '50s to discontinue that. Of course, several other countries were

having programmes in the past. But officially the knowledge of who has and who does not have will come to us only with the entry into force of the treaty.

LITTLEJOHNS: Ambassador Batsanov, we have only a few seconds left. But the countries of the Middle East that have not signed the Convention, do you suspect that they have chemical weapons?

BATSANOV: Well, you know there are a lot of reports around. More about some countries, less about some others. Well, I can only say that this is an important area —

LITTLEJOHNS: Mr. Batsanov, that's all the time we have. Thank you for being with us on this edition of **World Chronicle**.

Our guest has been Serguei Batsanov, Director for External Relations in the Provisional Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons. He was interviewed by Bhaskar Menon of the *International Documents Review* and Anne Penketh of AFP.

I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **World Chronicle**.

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